

Board of Municipal Utilities  
**Meeting Minutes**  
**January 21, 2020**  
201 Miller Road  
Avon Lake, Ohio

***Call to Order – Roll Call***

The meeting was called to order at 6:55 PM.

Present: Mr. Abram, Mr. Dzwonczyk, Mr. Phillips, Mr. Rush, and Mrs. Schnabel.

Also present: CUE Danielson, CUO Munro, Community Outreach Specialist Arnold, and Technical Support Specialist Collins. Attorney Rinker arrived partway through the meeting.

***Approve Minutes***

Chairman Dzwonczyk presented the minutes of the January 7, 2020, regular meeting. With no changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

***Public Speakers***

None

***Correspondence***

The CUE stated that staff is continuing to work closely with those individuals who had had issue with their bills, and he has spoken with a number of customers to make sure that they are satisfied.

***Expenditures***

Following review of expenses dated January 21, 2020, for funds and amounts as follows, Mr. Abram moved, Mr. Rush seconded, to approve the expenditures of January 21, 2020:

Water Fund 701	\$	369,381.91
Wastewater Fund 721	\$	317,802.84
MOR Fund 703	\$	200,002.59
MOR Fund 762	\$	287,796.75
LORCO Fund 749	\$	5,344.72
Water Construction Fund 704	\$	1,694.82

Ayes: Abram, Dzwonczyk, Phillips, Rush, and Schnabel.

Nays: None

Motion carried.

***Biomimicry Agreement***

The CUE brought to the Board's attention the agreement on which he had been working with the University of Akron. He said that Avon Lake Regional Water began working with the

University of Akron in 2015 to sponsor a biomimicry student for a 5-year program and were presented with an opportunity to share two students, rather than exclusively work with one student. He said that for ease of contracting, Avon Lake Regional Water sponsored Lamalani Siverts, and the Teaching Institute for Excellence in STEM (TIES) sponsored Banafsheh Khakipoor. He said that the sponsorship agreements with the University of Akron addressed ownership of Intellectual Property (IP), indicating that any property produced by the student would be owned by the sponsor. The CUE stated that he believes to best protect Avon Lake Regional Water and TIES, an agreement between the parties is necessary to clarify that water and algae-related IP will be owned by Avon Lake Regional Water and teaching-related IP will be owned by TIES. The Chairman asked if the new agreement obligated the organization to anything or for any particular length of time. The CUE stated that the new agreement only clarifies the original agreement with regard to ownership of intellectual property.

Mr. Abram asked when the contract expires with the University of Akron students. The CUE stated that the students will be done at the end of the school year, which is between the May and August timeline. Mr. Abram asked if the students have accomplished anything and if Avon Lake Regional Water would get the property rights to what they have completed. The CUE informed the Board that the students will be coming to the April work session to update the Board on their progress. He said that Bana is going to have her software application available. He said that Lamalani will have her research, which will be helpful, but not necessarily immediately applicable to Avon Lake Regional Water. Mr. Abram asked if the students' work could be patented. The CUE said that Bana's research might lead to patents but that Lamalani's would primarily lead to future research.

The Chairman asked if there would be some sort of simulation of the process she has been doing research on. The CUE informed the Board that he will discuss with Bana presenting that simulation to the Board.

Mrs. Schnabel moved, and Mr. Rush seconded, to authorize the CUE to execute the "Agreement Between Sponsors" to clarify ownership of Intellectual Property arising out of the work of Lamalani Siverts and Banafsheh Khakipoor.

Ayes: Abram, Dzwonczyk, Phillips, Rush, and Schnabel.

Nays: None

Motion carried.

### ***Cleveland Construction Cost Index***

The CUE informed the Board that the Cleveland Construction Cost Index (CCCI) has been updated for the year 2020. He said that according to Avon Lake Regional Water's policy and regulation, fees will automatically be changed by the change in the CCCI. The CUE did note that the CCCI decreased by 0.8%. He also said that this decrease is only the fourth time the CCCI has decreased in the last 40 years, with the most recent being 1997 to 1998. The The

Chairman pointed out that delinquent fees would be assessed according to the rates prevailing at the time of their having become applicable to a given connection.

### ***Public Comment Follow-Up***

The CUE stated that staff has been looking at a variety of ways to address the public concerns and comments regarding their water and wastewater bills. He said that staff is investigating options and will provide an update within a month to make some recommendations.

### ***Lateral Separation Update***

The CUO informed the Board that the resident living at 164 Burton did not comply with the Cease and Desist order, and water service was terminated on January 14th. He said that the Acting Law Director was aware that the water would be turned off. He also thanked the Avon Lake Police Department and Chief Streater for their assistance in delivering the notice. The CUO stated that the Lorain County Public Health has been made aware of the issue. He also said that as of January 17th, the resident has made no moves to address the issue.

The Chairman asked if the organization was now in 100% compliance. The CUO informed the Board that the organization is now in complete compliance. The CUE said that the Lorain County Public Health office expressed concern if there was someone who absolutely needed water, like a dialysis patient, but that if there was no individual who fell within that category they were okay with the situation.

Mr. Phillips' asked if the resident could access the water pipe and turn it back on. The CUO stated to the Board that yes the individual could access that pipe, but the meter has been pulled and they capped the pipe. He also said that staff has been following up on the property occasionally to make sure that the pipe is not disturbed.

### ***Project Updates***

*2019 Water Main Replacement Bundle:* The CUO informed the Board that the work on Jaycox waterline replacement continues with the UUI heading south towards the railroad tracks. He said that during the week of January 20th, the contractor will be working at the intersection of Legacy Pointe Parkway and Jaycox. He said that the entrance/exit for the Legacy subdivision at this intersection would be closed during working hours as the crew works in the intersection. He also said that for Lake Road, the contractor has about two more weeks of work remaining on that section of the project.

*Redundancy and Future Capacity:* The CUO stated that the two-day critical asset workshop was held on January 7th and 8th and included representatives from emergency services, bulk customers, and First Energy. He said that field visits are scheduled for the week of January 27th. He also informed the Board that an ETL corrosion workshop occurred on January 20th.

### ***CUE and CUO Reports***

The CUE stated that there are a number of workshops that staff has attended or is planning to attend soon. Steve Baytos attended the Association of Ohio Municipal Wastewater Agencies (AOMWA) meeting in Columbus on January 14th. The CUE also said the Mr. Baytos, in his role on the executive committee of the Northeast Section of OWEA, attended the NESOWEA Operations Seminar in Richfield on January 16th, which discussed topics including residuals

management and preparing for Ohio EPA inspections, and he is scheduled to attend the Industrial Wastes Seminar in Akron on February 20th, which will discuss PFAS in biosolids, among other topics.

The CUE brought to the Board's attention a discussion he had with a resident regarding the Minimum Service Fee on customers' bills. He said that he informed the customer that the Board had incorporated this fee as a replacement to the Administrative Fee that had been part of the wastewater bills and the 5,000 gallon minimum water bill to help pay for the administrative costs and other expenses that are associated with the collecting bills and reading meters. Resultantly, the Minimum Service Fee would be issued for each bill and would not be prorated for portions of the billing period. He said that he is stating this to confirm with the Board that this was accurate.

Mr. Rush asked about Civil Service and hiring for a number of open positions. The CUE said that the Civil Service test for the laborer positions has been completed and that there would soon be a certified list. The CUO stated that the applicants for the recent operator test were limited; so staff asked to postpone the test in order to allow time to use other avenues to try to bring in more applicants. He said the test would be administered sometime within the next few weeks.

The Chairman asked about Avon Lake Regional Water presenting at the Ward Meetings. The CUE said that since there would no longer be any significant work taking place this year, the organization would like to thank the residents for their patience with the number of projects that have taken place over the past couple of years.

Mr. Phillips stated that he read a story in the Chronicle about the sewer separation effort that took place. He said that while the story was not inaccurate, seemed to unduly credit non-utility personnel for providing the effort necessary to accomplish the historic sewer separation achievement.

The CUO informed the Board that Vince Petruccelli, a water plant laborer, was promoted to a Maintenance Man 2, Step 1A. He said that this is effective as of January 20th. The CUO stated that Mr. Petruccelli will be replacing Mr. Bruder, who will be retiring this year.

The CUO also stated that he received two quotes for the electronic sign for the Water Filtration Plant. He said the first is Wagner Signs for \$33,933. The second quote was from Blink for \$36,930. He said that both quotes exceeded the cost that he had in mind, but he was bringing it to the Board's attention for their guidance.

The CUO brought to the Board's attention that if any Board members would like their pay to go to their Health Savings Account, he had the requisite forms to fill out with instructions. He also said that that the marker for the 45's is at the Building Department for approval. He said once that is finalized he will inform the Board to plan for a ceremony.

### ***Member Reports***

None

### ***Miscellaneous***

None

**Public Speakers**

None

**Executive Session**

Mr. Rush moved, and Mr. Abram seconded, to meet in executive session as allowed by ORC 121.22 G. (3) to discuss pending legal matters to include the CUE, CUO, Technical Support Specialist, Community Outreach Specialist, and Attorney Rinker.

Ayes (per roll-call vote): Abram, Dzwonczyk, Phillips, Rush, and Schnabel

Nays: None

Motion carried.

**Adjourn**

As there was no further business, Mr. Abram moved to adjourn, and Mr. Rush seconded. The meeting adjourned at 8:55 PM.

Ayes: Abram, Dzwonczyk, Phillips, Rush, and Schnabel.

Nays: None

Motion carried.

Approved \_\_\_\_\_ 2020.

John Dzwonczyk, Chairman

Todd Danielson, Clerk